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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Olav Borgmeier

Appln. No.: 10/775,414

Filed: 2/10/04

For: Magnetically Controlled
Pneumatic Spring

Attorney Docket No: 11138-010

Examiner: D. Kramer

Art Unit: 3683

PROVISIONAL ELECTION WITHOUT TRAVERSE

This amendment responds to an Examiner's Office Action in the above-referenced case mailed on February 11, 2005, setting a one-month period for response. Applicants hereby elect Species 1 as identified in the subject Office Action, including the species illustrated by Figures 4 through 5, and 7 through 10.

I. **Remarks**, beginning on page 2.



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Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

☒ Response to Restriction Requirement and Election of Species☒ Return Receipt Postcard

Fee calculation and payment:

☒ No additional fee is required.☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).☐ An additional filing fee has been calculated as shown below:

					Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+ \$290=	
					Total	\$		Total	\$

Fee calculation and payment:


A check in the amount of \$_____ to cover the above-identified fee(s) is enclosed.

☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,

March 11, 2005

Date


Steven L. Oberholtzer, Esq. (Reg. No. 30, 670)
Attorney/Agent for Applicant

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail, addressed to: MS Amendment, Commissioner for Patents, U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: March 11, 2004 Name: M. Collins

Signature: 

BRINKS
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